

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 29, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-25075 - APPLICANT/OWNER: CAROLINE'S COURT, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. Approval and conformance to Conditions of Approval for Variance (VAR-25403).
3. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-20496).
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations. The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. The basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

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6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. In accordance with Site Development Plan Review SDR-20496, Condition A, the Final Map for this site shall grant perpetual vehicular and utility access easements to Assessor's Parcel Number 125-17-601-015.
8. The Final Map for this site shall be labeled as a Merger and Re-Subdivision.
9. Grant the required Multi-Use Transportation Trail easement along the northern boundary of this site and adjacent to El Capitan Way on the Final Map for this site. The trail easement shall be within a common lot.
10. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
11. All lots created by this commercial subdivision map shall have perpetual, irrevocable common access rights to all driveways servicing this overall site unless incompatible uses can be demonstrated to the satisfaction of the City Engineer. Add a note to this effect on the Final Map.
12. All subdivided parcels comprising this commercial subdivision shall provide perpetual intersite common drainage rights across all existing and future parcel limits and a note to this effect shall appear on the Final Map for this site.
13. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-20496 and all other applicable site-related actions.
14. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Tentative Map for a one-lot commercial subdivision on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive. The Tentative Map conforms to the approved Site Development Plan Review (SDR-20496) for this site; therefore staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) of these parcels and the surrounding area and thus created the Centennial Hills Town Center. The Planning Commission and staff recommended approval.
07/11/07	City Council approved a Site Development Plan Review (SDR-20496) for a proposed 269,734 square-foot Commercial Center and three Special Use Permits (SUP-20497, SUP-20498, SUP-20499) for a Building and Landscape Material/Lumber Yard, Accessory Outdoor Storage, and a Restaurant with Drive Through. Planning Commission and staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
There are no active or pending building permits or business licenses for this site.	
<i>Pre-Application Meeting</i>	
10/02/07	A pre-application meeting was held and elements of this application were discussed.

<i>Field Check</i>	
11/01/07	A field check was made on site. The site is currently undeveloped desert bordering US-95 frontage streets.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	23.62

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC-TC (Service Commercial Town Center)	T-C (Town Center)

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North	Single Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
South	Undeveloped	SC-TC (Service Commercial Town Center)	T-C (Town Center)
East	ROW (US 95)	ROW (US 95)	ROW (US 95)
West	Undeveloped	SC-TC (Service Commercial Town Center)	T-C (Town Center)
	General Retail Store	SC-TC (Service Commercial Town Center)	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

FINDINGS

- General information (Residential/Commercial)**

The site is located on the north side of Durango Drive approximately 288 feet west of U.S. 95 interchange. This site consists of three undeveloped parcels of land in the city's Centennial Hills Town Center plan area.

The approved Site Development Plan Review (SDR-20496) depicted seven buildings that are proposed for retail and restaurant tenants. The buildings are massed towards the southwestern corner of the site with a pedestrian plaza and clock tower at the corner of El Capitan Way and North Durango Drive. There is a proposed anchor store that will be sited so it backs towards the highway. There is a proposed office building that will be setback approximately 89 feet and a retail building that will be setback from the residential subdivision towards the north. Finally, the site plan proposes to site a restaurant (with drive-through) uses near the site's principal entrance off of El Capitan Way.

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- **Cross Section**

Pursuant to Section 19.12.075 of the Municipal Code, cross sections have been submitted for the proposed Tentative Map with cross sections depicting a maximum natural grade of 2% or more. With a grade of 2% or more the Design Standards allow a maximum exposed wall height of 12 feet (a six-foot retaining wall with a six-foot screen wall). The applicant is proposing a to allow a retaining wall height of 15 feet where the maximum retaining wall height is six feet on the west property line, and to allow a total height of 23 feet where the maximum total height of retaining and screening walls is 12 feet, which requires a Variance (VAR-25403). A companion Variance application will be heard along with this Tentative Map.

- **Trails**

The Transportation Trails Element of the Master Plan calls for a Multi-Use Transportation Trail to run along the western and northern property lines of this project to connect other existing and future portions of the city's trails network. The plans as submitted depict a pedestrian oriented trail along the northern property line where the required transition strip transitions into the parking lot of the proposed commercial shopping center. The entire trail along the northern property line is with in the subject site. The trail alignment that runs along the western property line abuts the El Capitan Way right-of-way and maintains the five-foot landscape buffer and the 10-foot sidewalk on the subject site with the five-foot transition strip being a part of the right-of-way. The proposed trail meets the requirements of the Master Plan.

- **Special Conditions of Approval (from Zoning or SDPR)**

1. All development shall be in conformance with the site plan and landscape plan, date stamped 04/18/07, and building elevations, date stamped 03/13/07 and 04/23/07, except as amended by conditions herein.
2. The retail and restaurant buildings that back towards the public right-of-way of either El Capitan Way or North Durango Drive (depicted as Proposed Retail A, C, D, G and Proposed Restaurant B on the site plan date stamped 04/18/07) shall maintain dual public frontage for all tenant spaces.
3. The 20-foot wide trail with sidewalks, lighting, screen and/or block wall, and landscaping along El Capitan Way and adjacent to the residential development of Pine Meadows on the north side shall be completed along with the initial construction of the project. Provide pedestrian walkway easements for all sidewalks not located within the public right-of-way.
4. Hours of operation for the Lowe's and the most northern building shall be six a.m. to 10 p.m.

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5. Property owner will maintain the southerly face of the existing block wall adjacent to the residential area.
6. Property owner agrees not to accept any deliveries between ten p.m. and six a.m. and will post a minimum of eight signs stating such.
7. The most northerly building adjacent to the existing residence will be limited to single story.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0